

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

KEVIN PETTIT,	:	
	:	
Plaintiff,	:	Case No. 3:08cv00257
	:	
vs.	:	
	:	District Judge Walter Herbert Rice
CAROLYN W. COLVIN,	:	Chief Magistrate Judge Sharon L. Ovington
Acting Commissioner of the Social	:	
Security Administration,	:	
	:	
Defendant.	:	

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**DECISION AND ENTRY**

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This case is before the Court upon the Motion For Allowance Of Attorney Fees filed by Plaintiff's attorney. (Doc. #17). The Commissioner has neither responded to nor opposed the Motion, and the time for filing a Memorandum in Opposition has expired. *See* S.D. Ohio Civ. R. 7.2(a)(2).

The Motion seeks an award of attorney fees under 42U.S.C. §406(b)(1) in the total amount of \$10,406.22. (Doc. #17, PageID at 130). In the absence of a response or opposition by the Commissioner, the Motion, Memorandum, and supporting Exhibits establish that an award of attorney fees is warranted under 42 U.S.C. §406(b)(1) in the amount the Motion seeks.

Accordingly, the Court hereby **ORDERS** that:

1. The Motion For Allowance Of Attorney Fees (Doc. #17) is GRANTED;
2. The Commissioner shall pay Plaintiff's attorney fees pursuant to 42 U.S.C. §406(b)(1) in the amount of \$10,406.22; and
3. The case remains terminated on the docket of this Court.



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Walter Herbert Rice  
United States District Judge